

AMENDED IN ASSEMBLY APRIL 16, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 687

Introduced by Assembly Member Salas

February 26, 2009

~~An act relating to the Sacramento-San Joaquin Delta. An act to add Division 34 (commencing with Section 83050) to the Water Code, relating to the Tijuana River Valley.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 687, as amended, Salas. ~~Sacramento-San Joaquin Delta. Tijuana River Valley Conservancy.~~

Existing law establishes various state conservancies for the protection of natural resources within specified boundaries.

This bill would enact the Tijuana River Valley Conservancy Act. The bill would establish in the Natural Resources Agency the Tijuana River Valley Conservancy. The bill would specify the composition of the board of the conservancy. The conservancy would be required to oversee the implementation of a comprehensive Tijuana River Valley cleanup and restoration program. The bill would set forth related findings and declarations.

~~The California Bay-Delta Authority Act establishes the California Bay-Delta Authority in the Natural Resources Agency. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program.~~

~~This bill would state findings and declarations of the Legislature with respect to the development of the Bay Delta Conservation Plan and the activities of the Delta Vision Blue Ribbon Task Force and the Delta~~

~~Vision Committee and the need to balance the demands of both the environment and water supplies.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Division 34 (commencing with Section 83050) is*
2 *added to the Water Code, to read:*

3
4 *DIVISION 34. TIJUANA RIVER VALLEY CONSERVANCY*

5
6 *CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS*

7
8 83050. *This division shall be known and may be cited as the*
9 *Tijuana River Valley Conservancy Act.*

10 83051. *The Legislature finds and declares all of the following:*

11 (a) *The Tijuana River Valley is a unique and valued area,*
12 *warranting recognition from the State of California.*

13 (b) *The Tijuana River Valley is known for its regional park and*
14 *is located in the most southwestern portion of the City of San*
15 *Diego. It is bounded on the east by Dairy Mart Road and the*
16 *residential community of San Ysidro. It is located west of Border*
17 *Field State Park and the Tijuana Estuary. The southern tip of the*
18 *valley is on the United States-Mexico International Border. At the*
19 *north end are Sunset Avenue and the residential community of*
20 *Otay-Nestor.*

21 (c) *The Tijuana River which flows east to west from Mexico*
22 *drains into the Pacific Ocean through the Tijuana River Estuary.*
23 *The valley created by the river is known for its acreage of natural*
24 *lands and habitats. The Tijuana River Valley Regional Park is*
25 *composed of 71 and one-half miles of dirt roads and pathways*
26 *that have been created due to recreational use through the highly*
27 *vegetated area.*

28 (d) *Numerous federal, state, and local agencies have*
29 *overlapping and sometimes conflicting responsibilities and*
30 *jurisdictions over the Tijuana River Valley.*

31 (e) *For decades, trash and wastewater originating in Tijuana,*
32 *Mexico have ended up along the public recreational hiking, biking,*
33 *and equestrian trails within the Tijuana River Valley, posing*

1 *environmental and public health threats to the local South Bay*
2 *San Diego community.*

3 *(f) The establishment of the Tijuana River Valley Conservancy*
4 *will facilitate coordinated governmental action, with input from*
5 *the scientific community, the environmental community, and*
6 *affected stakeholders, to protect the Tijuana River Valley from*
7 *future accumulations of trash and sediment, to identify, remove,*
8 *recycle, or dispose of existing trash and sediment, and to restore*
9 *the wetland ecosystem of the Tijuana River Valley floodplain.*

10
11 *CHAPTER 2. TIJUANA RIVER VALLEY CONSERVANCY*
12

13 *83060. There is hereby established in the Natural Resources*
14 *Agency the Tijuana River Valley Conservancy, a state agency, for*
15 *the purposes of carrying out this division.*

16 *83061. The conservancy shall oversee the implementation of*
17 *a comprehensive Tijuana River Valley cleanup and restoration*
18 *program.*

19 *83062. (a) The board of the conservancy shall consist of seven*
20 *voting members as follows:*

21 *(1) The Secretary of the Natural Resources Agency, or his or*
22 *her designee.*

23 *(2) Two public members appointed by the Governor.*

24 *(3) Two public members appointed by the Speaker of the*
25 *Assembly.*

26 *(4) Two public members appointed by the President pro*
27 *Tempore of the Senate.*

28 *(b) Each public member shall be appointed for a four-year term,*
29 *except that one of the public members initially appointed by the*
30 *Governor shall be designated to serve a one-year term, one of the*
31 *public members initially appointed by the Speaker of the Assembly*
32 *shall be designated to serve a two-year term, and one of the public*
33 *members initially appointed by the President pro Tempore of the*
34 *Senate shall be designated to serve a three-year term. Public*
35 *members may be reappointed at the end of their respective terms*
36 *and any vacancy during a term of office may be filled by the*
37 *appointing entity.*

38 *(c) The public members shall reflect the diversity of interests*
39 *in the Tijuana River Valley. Each public member shall be*
40 *compensated for attendance at regular meetings of the board at*

1 the rate of one hundred dollars (\$100) per day and shall be
2 reimbursed for actual reasonable and necessary expenses for
3 attending meetings and carrying out the duties of his or her office.

4 (d) The board members shall elect annually from among the
5 board members a chairperson and vice chairperson and other
6 officers as necessary.

7 (e) A majority of the board members constitutes a quorum for
8 the transaction of the business of the board, and a majority vote
9 of the board members present at a meeting where a quorum exists
10 shall be binding with respect to all matters acted on by the board.

11 (f) The board shall appoint an executive officer of the
12 conservancy and employ other staff as necessary to execute the
13 powers and functions provided for under this division.

14 (g) The board may rent or otherwise acquire real property and
15 equipment.

16 (h) The board may enter into contracts with private entities and
17 public agencies to procure consulting and other services to achieve
18 the purposes of this division.

19 ~~SECTION 1. The Legislature finds and declares all of the~~
20 ~~following:~~

21 ~~(a) In September 2006, Governor Schwarzenegger issued~~
22 ~~Executive Order S-17-06 to initiate a thorough process in the~~
23 ~~development of a durable vision and strategic plan for sustainable~~
24 ~~management of the delta that balances the demands of both the~~
25 ~~environment and water supplies.~~

26 ~~(b) Executive Order S-17-06 established the Delta Vision Blue~~
27 ~~Ribbon Task Force, a stakeholder coordination group, and the~~
28 ~~Delta Vision Committee, which resulted in implementation~~
29 ~~recommendations to both the Governor and Legislature in January~~
30 ~~2009.~~

31 ~~(c) The Bay Delta Conservation Plan is currently in~~
32 ~~development, in observance of the federal Endangered Species~~
33 ~~Act of 1973 (16 U.S.C. Sec. 1531 et seq.) and the Natural~~
34 ~~Community Conservation Planning Act (Chapter 10 (commencing~~
35 ~~with Section 2800) of Division 3 of the Fish and Game Code), to~~
36 ~~advance a plan to provide for environmental restoration and reliable~~
37 ~~water supplies from the delta for more than 20 million people.~~

38 ~~(d) Acknowledgment of and reference to both the Bay Delta~~
39 ~~Conservation Plan and the activities of the Delta Vision Blue~~

1 ~~Ribbon Task Force and the Delta Vision Committee are essential~~
2 ~~to resolving conflicting demands throughout the delta.~~
3 ~~(e) Structural improvement to both the form and function of the~~
4 ~~delta will allow California to more aggressively achieve the~~
5 ~~Governor's 20 percent by 2020 water conservation goal throughout~~
6 ~~the state.~~

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